

Examiner-Initiated Interview Summary	Application No. 09/978,273	Applicant(s) THOMAS ET AL.	
	Examiner Cynthia Collins	Art Unit 1638	

All Participants:(1) Cynthia Collins.(2) Anthony Giaccio.**Status of Application:** after-final

(3) _____

(4) _____

Date of Interview: 15 September 2006**Time:** _____**Type of Interview:**

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

35 USC 103

Claims discussed:

56

Prior art documents discussed:

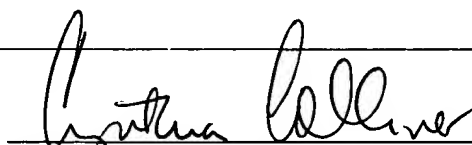
Maddaloni et al. *Transgenic Research*, 1997, Vol. 6, No. 6, pages 393-402 and Hey et al. *Plant Physiology*, 1995, Vol. 107, pages 1323-1332.

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet***Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Regarding the rejection under 35 USC 103: the difference between the type of maize ribosome inactivating protein encoded by the chimeric gene expressed in the method of Maddaloni et al. (inactive precursor protein) and by the chimeric gene expressed in the claimed method (active mature protein); the inability of Hey et al. to produce transgenic solanaceous (tobacco) plants expressing an active mature maize ribosome inactivating protein (page 1330); with respect to claim 56: cancellation by examiner's amendment for failure to further limit claim 55 as currently amended.